

United Townships of Head, Clara & Maria Council

Request for Decision

Type of Decision									
Meeting Date	Tuesday, April 19, 2022				Report Date	Monday, April 11, 2022			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	X	Information Only			Type of Meeting	X	Open		Closed
Report #22/04/19/1601 – OPG Draft Lease Agreement for LaCroix Park									

Subject: Draft Ontario Power Generation Lease Agreement for Lands Located at LaCroix Park

Recommendation: That Council adopt By-Law 2022-08 to execute the enclosed Land Lease Agreement provided by Ontario Power Generation.

Resolution:

Resolution No.: 22/03/22/006

Moved by Councillor _____ and seconded by Councillor _____

WHEREAS Council has received Report 22/04/19/1601 and a Draft Agreement concerning a Land Lease Agreement between the Municipality and Ontario Power Generation for lands located at LaCroix Park;

THEREFORE BE IT RESOLVED THAT By-Law 2022-08 being a by-law to enter into a Land Lease Agreement with Ontario Power Generation be read a first, second and third time passed this 19th day of April, 2022.

AND FURTHER THAT the Lease Agreement form an appendix to the By-Law as “Schedule A”.

Background Information:

The boat launch at LaCroix Park in Deux Rivières is within the land of Ontario Power Generation. For that reason, a Licence Agreement is required for use of the land including having the old boat launch removed and installing the new floating docks.

Council was provided with the Draft Agreement for review on April 4th, so that any comments and concerns could be provided to OPG prior to issuing the final agreement. The only comment/concerns received were in regards to including the play structure in the Lease Agreement and potential review from the municipality’s legal counsel.

The approximate location of the proposed playground was reviewed, and it appears the location falls outside of land owned by OPG, and therefore will not be included in the Lease.

It will be up to Council to determine if the Lease is to be reviewed by legal counsel before proceeding with entering into the agreement.

The term of the Lease Agreement was changed to a 5-year term + (2) 5-year extension terms instead of the 10-year term + (1) 10-year extension term indicated in the draft version. This is to align with the term lengths recently provided for recreational licences; all other terms and conditions are the same as the draft version.

Financial Considerations/Budget Impact:

If Council determines that legal counsel should review the lease agreement prior to signing, the cost will vary however, based on past experience of similar reviews the cost would be in the \$2000 range (or more).

Enclosures:

Ontario Power Generation Lease Agreement

Approved and Recommended by the Clerk

Crystal Fischer,
Clerk/Treasurer